

2009 DRAFTING REQUEST

Bill

Received: **12/08/2008**

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Dean Kaufert (608) 266-5719**

By/Representing: **Adam Field**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - driver licenses**

Extra Copies: **EVM**

Submit via email: **YES**

Requester's email: **Rep.Kaufert@legis.wisconsin.gov**

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Operating after revocation; ordinance violations as prior offenses

Instructions:

Wants redraft of 2007 AB-459/LRB-2740

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 12/11/2008	kfollett 12/17/2008					
/1			mduchek 12/18/2008		sbasford 12/18/2008	sbasford 01/20/2009	

FE Sent For:

<END>

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/?	agary	11/15/17	12/18	12/18			

FE Sent For:

<END>

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2007 ASSEMBLY BILL 459

July 19, 2007 - Introduced by Representatives KAUFERT, GUNDRUM, A. OTT, GOTTlieb, VAN ROY ALBERS and HINTZ, cosponsored by Senators LASSA, DARLING, ROESSLER and GROTHMAN. Referred to Committee on Criminal Justice.

Regen

- 1 AN ACT *to amend* 343.44 (2) (as) of the statutes; **relating to:** operating a motor
2 vehicle after revocation.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from operating a motor vehicle on the highway during any period in which the person's motor vehicle operating privilege is revoked (OAR). Subject to a "first offense" exception, a person convicted of OAR on or after May 1, 2002, must be fined not more than \$2,500 or imprisoned for not more than one year or both. Under the "first offense" exception, if the person committed the OAR offense after July 27, 2005, the person has no prior conviction in the preceding five-year period under state statutes for OAR, and the underlying operating privilege revocation was not the result of specified alcohol or controlled substance-related traffic violations, the person must forfeit not more than \$2,500. Also under current law, local authorities may enact traffic regulations in strict conformity with state law that are punishable by forfeiture.

This bill narrows the "first offense" penalty exception for a person convicted of OAR so that the exception applies only if the person has no prior conviction in the preceding five-year period for OAR under state statutes or under local ordinances.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 3 SECTION 1. 343.44 (2) (as) of the statutes is amended to read:

ASSEMBLY BILL 459

SECTION 1

343.44 (2) (as) Any person who violates sub. (1) (b) after July 27, 2005, shall forfeit not more than \$2,500, except that, if the person has been convicted of a previous violation of sub. (1) (b) or of a local ordinance in conformity with sub. (1) (b) within the preceding 5-year period or if the revocation identified under sub. (1) (b) resulted from an offense that may be counted under s. 343.307 (2), the penalty under par. (b) shall apply.

SECTION 2. Initial applicability.

(1) This act first applies to offenses committed on the effective date of this subsection.

(END)

Basford, Sarah

From: Field, Adam
Sent: Tuesday, January 20, 2009 11:01 AM
To: LRB.Legal
Subject: Please jacket LRB 1068

Attachments: 09-10681.pdf

Please jacket LRB 1068 for introduction.



09-10681.pdf (14
KB)

Adam R. Field
Office of Rep. Dean Kaufert
55th Assembly District